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9 Randy W. Goldberg

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

13
14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.
17 RANDY W. GOLDBERG,
18 Defendant.

Case No.: CR-07-00788-JF/PVT-7
The Hon. Judge Jeremy Fogel

**UNOPPOSED MOTION TO
MODIFY CONDITIONS OF
RELEASE**

Date: TBD
Time: TBD
Courtroom: _____

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28 Defendant Randy W. Goldberg, through undersigned counsel, files this
Unopposed Motion to Modify Conditions of Release and, as grounds therefore, states
as follows:

1. Mr. Goldberg was arrested on January 17, 2008, pursuant to the
indictment in this case charging him with multiple counts of wire and mail fraud and
conspiracy to engage in money laundering.

2. Mr. Goldberg was subsequently released on bond pursuant to a
pre-trial release order setting certain conditions, among which included travel
restrictions and a curfew. Since being released Mr. Goldberg has complied fully and

satisfactorily with all of the conditions of his bond.

3. By this unopposed motion, Mr. Goldberg seeks permission of the Court to allow Mr. Goldberg to exceed his curfew by three (3) hours on the evening of Friday, August 1, 2008, so that he can attend a local concert in Miami, Florida, where he currently resides, along with his family.

4. Mr. Goldberg's counsel has discussed this request with AUSA Jeffrey Nedrow and his pre-trial services officer in Miami, along with a pre-trial services officer in San Jose. Neither the pre-trial services officer assigned to Mr. Goldberg, in San Jose or Miami, nor Mr. Nedrow have any objection to this request for limited modification of the terms of Mr. Goldberg's release. All other conditions of his release will remain in effect.

WHEREFORE, Mr. Goldberg respectfully requests entry of an Order modifying the terms of his release and bond to allow him to exceed curfew, as set forth above, conditioned on him providing notice to the pre-trial services officer prior to the event and such other information as requested by the pre-trial services officer.

DATED: July 28, 2008

Respectfully submitted,

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By: s/Steven E. Chaykin (pro hac vice)
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PROOF OF SERVICE BY E-MAIL OR ELECTRONIC TRANSMISSION

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

I am employed in the County of Miami-Dade, State of Florida; I am over the age of 18 years and not a party to this action. My business address is One S.E. 3rd Avenue, 25th Floor, Miami, Florida 33131-1714.

On July 28, 2008, I served the following document(s) described as:

UNOPPOSED MOTION TO MODIFY CONDITIONS OF RELEASE

Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses (or fax numbers, if email not provided) listed below:

Jeffrey David Nedrow, Esq., USAO Lead Attorney for Plaintiff <u>jeff.nedrow@usdoj.gov</u>	Edwin Ken Prather, Esq. Lead Attorney for Asaf Nass, Defendant <u>eprather@clarencedyer.com</u>
Garrick Sherman Lew, Esq. Lead Attorney for Limor Gefen <u>gsl@defendergroup.com</u>	Ronald Gainor, Esq. Lead Attorney/ <i>Pro Hac Vice</i> for Brandi C. Aycock <u>gains_2000@hotmail.com</u>
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Vicki H. Young, Esq. Lead Attorney to Eduardo A. Subirats	

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3 I did not receive, within a reasonable time after the transmission, any electronic
4 message or other indication that the transmission was unsuccessful.
5

- 6 (State) I declare under penalty of perjury under the laws of the State of
7 Florida that the above is true and correct.
8 (Federal) I am a member of the Bar for the State of Florida and admitted Pro
9 Hac Vice in the Northern District of California. I declare under
10 penalty of perjury under the laws of the United States of America
11 that the above is true and correct.

12 Executed on July 28, 2008, in Miami-Dade County, Florida.
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14 s/ Steven E. Chaykin (Pro Hac Vice)
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